

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:02CV243

**JERRY TRULL; DON HENSON;)
FLOYD SUTTON; EARL JOHNSON;)
RODERICK ROGERS; and JOYCE)
RIGGS, Individually and as)
Representative of a class of all persons)
similarly situated,)**

Plaintiffs,)

Vs.)

ORDER

**DAYCO PRODUCTS, LLC; MARK IV)
INDUSTRIES, INC.; DAYCO)
PRODUCTS, INC. MEDICAL PLAN;)
and MARK IV INDUSTRIES, INC.)
AND SUBSIDIARIES GROUP)
WELFARE BENEFIT PROGRAM,)**

Defendants.)

THIS MATTER is before the Court on the Plaintiffs' Response to the Defendant's objections, request to clarify and/or reconsider the Court's April 26, 2005, Order. Specifically, this Order addresses only the issue of the filing of motions for attorney fees and costs.

For the reasons set forth in the parties' filings,

IT IS, THEREFORE, ORDERED that the requirement to file motions for attorney fees and costs is hereby suspended until the appeals currently pending before the Fourth Circuit have been adjudicated.

Signed: May 19, 2005

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

